

RECEIVED
CENTRAL FAX CENTER

MAR 04 2008

REMARKS/ARGUMENTS

This is in response to the official action dated October 2, 2007. Reconsideration is respectfully requested.

Claim rejections under 35 USC § 102

1. The Examiner rejected claims 1, 3 and 7 as being anticipated by Zelenka. In order to properly reject a claim as being anticipated by a prior art reference, every element of the claim must be found in the reference. Applicants have amended independent claims 1 and 7 to further define the invention. The newly amended independent claims make clear how the relationship between the fan and the evaporation surface of the reservoir is arranged. That is, the electrically-driven fan (8) is arranged perpendicular in a housing (1) such that the fan blows a current of air horizontally through an exit port (2) provided in the housing, into the atmosphere. Further, the independent claim now provides a reservoir (4) of volatile liquid for evaporation into the atmosphere, the reservoir having an upper orifice substantially completely blocked by an essentially planar, essentially horizontal evaporation surface (6), reservoir and housing cooperating such that the current of air blows across the evaporation surface as it moves towards the exit port; and (c) means (7) of transferring liquid from the reservoir to the evaporation surface. The Zelenka reference does not provide such elements.

2. The Examiner rejected claims 1, 2 and 5 as being anticipated by Dimacopoulos. Applicants submit that the Dimacopoulos also does not anticipate the presently amended claims. Clearly, Dimacopoulos provides a fan which blows directly onto the vapor generator. The fan is arranged parallel to the surface of the vapor generator, whereas in applicants claimed invention, the fan is arranged perpendicular to the surface.

For these reasons, applicants submit that the anticipatory references should be withdrawn.

Claim rejections under 35 USC § 103

The Examiner rejected claims 4 and 6 as being obvious over Zelenka as applied to claim 1 and further in view of Nakoneczny.

Applicants submit that claim 4 is dependent on claim 1 which was amended and claim 6 is dependent on claim 4. Applicants submit that Zelenka does not, as the Examiner states, provide a part draped over metal disk (29) as an evaporation surface. The evaporation surfaces are the two hanging parts whose free ends are immersed in liquid. This is precisely the opposite arrangement of applicants invention, in which the flat surface is the primary evaporation surface. As the liquid in Zelenka has to travel upwards and through the evaporating airstream, it is highly unlikely that any liquid ever reaches the portion around the disk. In any case, the disk's sole function is to support the wick.

Further, Zelenka does not provide the rotations aspect as the Examiner stated. Instead, the reference shows that the "rotation" of the bell-crank lever (col.2, l.71) actually causes not the rotation of the wick, but it does raising and lowering (col.3, l.1-2) of the wick.

The secondary reference of Nakoneczny does not cure the deficiencies of Zelenka. The reference has in common only the fact that both dispense volatile liquids into the atmosphere. Nakoneczny has as his object the provision of a simple device with relatively few moving parts, the antithesis of Zelenka's fan-driven. Zelenka's device utilizes wicks suspended from a metal disk. Given the totally different nature of Zelenka, it would not be obvious to one of ordinary skill in the art to add a flat emanator that is integrally formed to the top of the wick and arrive at applicants claimed invention. Thus, applicants submit that the claims as presently amended are not obvious over the combination of references.

Accordingly, applicants submit that the claims are patentable.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Assistant Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

RECEIVED
CENTRAL FAX CENTER

MAR 04 2008

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

Respectfully submitted,
NORRIS McLAUGHLIN & MARCUS, P.A.

By Christa Hildebrand
Christa Hildebrand
Reg. No. 34,953
875 Third Avenue - 18th Floor
New York, New York 10022
Phone: (212) 808-0700
Fax: (212) 808-0844
Facsimile: (212) 808-0844